

1 BILL NO. Z-86-67-21

2 ZONING MAP ORDINANCE NO. Z-

3 AN ORDINANCE amending the City of  
4 Fort Wayne Zoning Map No. G-2.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is  
8 hereby designated an R-3 (Multi-Family Residential) District  
9 unde the terms of Chapter 33 of the Code of the City of Fort  
10 Wayne, Indiana of 1974:

11 Part of the Lagro Reserve, Township 30 North, Range 12  
12 East of the Second Principal Meridian, more particular-  
13 ly described as follows:

14 Commencing at the Southeast corner of Lagro Section  
15 (Reserve), Township and Range aforesaid; thence South  
16 88 degrees 41 minutes West along the South line of said  
17 section 429 feet; thence North 1 degree 16 minutes  
18 West, 2640 feet to a stone corner; thence South 86  
19 degrees 53 minutes 30 seconds West, 66 feet to the  
20 centerline of the Upper Huntington Road; thence South  
21 50 degrees 39 minutes 30 seconds West 1967.41 feet for  
the point of beginning this being the Northwest corner  
of the tract herein described; thence North 50 degrees  
39 minutes 30 seconds East 87.41 feet; thence South 40  
degrees 45 minutes East 385 feet; thence South 50  
degrees 19 minutes West, actual, (South 50 degrees 40  
minutes West, deed), a distance of 259.0 feet; thence  
North 27 degrees 32 minutes West, a distance of 257.5  
feet; thence North 00 degrees 11 minutes East, a  
distance of 173.27 feet to the point of beginning,

22 and the symbols of the City of Fort Wayne Zoning Map No.  
23 G-2, as established by Section 11 of Chapter 33 of the Code  
24 of the City of Fort Wayne, Indiana are hereby changed  
25 accordingly.

26 SECTION 2. That this Ordinance shall be in full force  
27 and effect from and after its passage and approval by the  
28 Mayor.

29   
30 COUNCILMEMBER

31 APPROVED AS TO FORM AND LEGALITY:

32   
BRUCE O. BOXBERGER, CITY ATTORNEY



Read the first time in full and on motion by Crisp  
seconded by Amey, and duly adopted, read the second ti  
by title and referred to the Committee Regulation (and the C  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wa  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.,

DATE: 7-22-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Crisp  
seconded by Quinn, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BRADBURY</u>	_____	_____	_____	<u>✓</u>	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 8-12-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-09-86

on the 12th day of August, 1986

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indian  
on the 13th day of August, 1986  
at the hour of 11:30 o'clock PM.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of August  
1986, at the hour of 10 o'clock A.M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



# Division of Community Development & Planning

**BRIEF TITLE**

Zoning Ordinance Amendment

**APPROVAL DEADLINE****REASON**

From RA to R3

**DETAILS****Specific Location and/or Address**

4321 W Jefferson Bl

**Reason for Project**

To establish office use.

**Discussion (Including relationship to other Council actions)**21 July 1986 - Public Hearing

David Hout, petitioner and property owner, stated that he was requesting the rezoning so that at some future date he could use the property for an office or for resale for an office use.

Edith Kenna questioned Mr. Hout if he was aware that he would require Board of Zoning Appeals approval and that the Board was requiring all properties on W Jefferson Bl to dedicate a 40 foot frontage road, in order to have an office use on the property in question.

Mr. Hout stated he was aware of the situation.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

28 July 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents****Applicant(s)**

David Hout

City Department

Other

**Opponents****Groups or Individuals****Basis of Opposition****Staff  
Recommendation**☒ For☐ Against

Reason Against

**Board or  
Commission  
Recommendation****By**☒ For☐ Against☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

**CITY COUNCIL  
ACTIONS**  
(For Council  
use only)
☐ Pass☐ Other☐ Pass (as amended)☐ Hold☐ Council Sub.☐ Do not pass

**DETAILS**

Of the eight (8) members present  
seven voted in favor of approval one (1)  
did not vote.

**POLICY/ PROGRAM IMPACT**

Policy or  
Program  
Change

☐

No

☐

Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date 2 June 1986

Projected Completion or Occupancy

Date 30 July 1986

Fact Sheet Prepared by

Date 30 July 1986

Patricia Biancaniello  
Reviewed by

Date

30 July 1986

Reference or Case Number



Prescribed by State Board

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

# RECEIPT

No 1089

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 6-2 19 86

RECEIVED FROM David Hawk

\$ 50.00

THE SUM OF fifty

00/100 DOLLARS

ON ACCOUNT OF regional - 4/321

W. J. Giffner  
AUTHORIZED SIGNATURE

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

I/We DAVID HOOT  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RH District to a/an R3 District the property described as follows:

ADDED SHEET!

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 4321 W. JEFFERSON BLVD

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

_____	_____	_____
<u>DAVID HOOT</u>	<u>4321 W. JEFFERSON BLVD</u>	<u>David Hoot</u>
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>DAVID HOOT</u>	<u>4321 W. JEFFERSON BLVD</u>	<u>432-1186</u>
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



CONTINUATION SHEET

SCHEDULE     A    

Order Number:

Commitment Number:

8511-137

LEGAL DESCRIPTION

Part of Lagro Reserve, Township 30 North, Range 12 East of the Second Principal Meridian, more particularly described as follows:

Commencing at the Southeast corner of Lagro Section (Reserve), Township and Range aforesaid; thence South 88 degrees 41 minutes West along the South line of said section, 429 feet; thence North 1 degree 16 minutes West, 2640 feet to a stone corner; thence South 86 degrees 53 minutes 30 seconds West, 66 feet to the centerline of the Upper Huntington Road; thence South 50 degrees 39 minutes 30 seconds West 1967.41 feet for the point of beginning this being the Northwest corner of the tract herein described; thence North 50 degrees 39 minutes 30 seconds East 87.41 feet; thence South 40 degrees 45 minutes East 385 feet; thence South 50 degrees 19 minutes West, actual, (South 50 degrees 40 minutes West, deed), a distance of 259.0 feet; thence North 27 degrees 32 minutes West, a distance of 257.5 feet; thence North 00 degrees 11 minutes East, a distance of 173.27 feet to the point of beginning.

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**STEWART TITLE**  
GUARANTEE COMPANY



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 22, 1986 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-07-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 21, 1986.

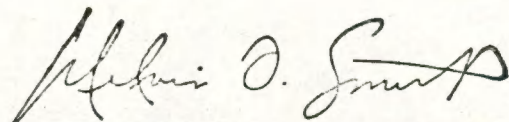
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 28, 1986.

Certified and signed this  
30th day of July 1986.



Melvin O. Smith  
Secretary







**ORIGINAL**

Admn. Appr. \_\_\_\_\_

COUNCILMANIC DISTRICT No. \_\_\_\_\_

**DIGEST SHEET**

**ORIGINAL**

**TITLE OF ORDINANCE** Zoning Ordinance Amendment

**DEPARTMENT REQUESTING ORDINANCE** Land Use Management - CD&P

3-86-07-21

**SYNOPSIS OF ORDINANCE** 4321 W Jefferson Bl

**EFFECT OF PASSAGE** Property is presently zoned RA - Suburban Residential.

Property will become R-3 - Multi-Family Residential.

**EFFECT OF NON-PASSAGE** Property will remain RA - Suburban Residential.

**MONEY INVOLVED (Direct Costs, Expenditures, Savings)** \_\_\_\_\_

**(ASSIGN TO COMMITTEE (J.N.))** \_\_\_\_\_



BILL NO. Z-86-07-21

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~XXXXXXXXXX~~) (RESOLUTION) amending the City of Fort  
Wayne Zoning Map No. G-2

HAVE HAD SAID (ORDINANCE) (~~XXXXXXXXXX~~) (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~)

YES

NO

BEN A. EISBART  
CHAIRMAN

JANET G. BRADBURY  
VICE CHAIRWOMAN

DONALD J. SCHMIDT

THOMAS C. HENRY

CHARLES B. REDD

CONCURRED IN 8-12-86

SANDRA E. KENNEDY  
CITY CLERK